



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

July 19, 2005

Desert Hills Vineyard
61603 N Wilgus Rd
Grandview WA 98930-9192

Re: Amended Emergency Drought Authorization No. G4-35026

This authorization amends the point of withdrawal previously authorized under Emergency Drought Authorization No. G4-35026

In accordance with the provisions of RCW 43.83B.405, on March 10, 2005, it was ordered and determined by the Director of the Department of Ecology that the State of Washington is under drought conditions. In accordance with the provisions of WAC 173-166-060, the Department of Ecology is under the terms of this Order, issuing an EMERGENCY DROUGHT PERMIT. The intent of this authorization is to alleviate hardships and reduce the burdens on water users arising from the drought conditions.

THIS AUTHORIZATION SHALL IN NO MANNER BE CONSTRUED TO GUARANTEE OR IMPLY THAT A FINAL (REGULAR) PERMIT WILL ISSUE FOR THE FUTURE USE OF THE WATER USE HEREIN AUTHORIZED.

The Department of Ecology (Ecology) has agreed to fund the cost of the mitigation or offsets for the impacts associated with the drought emergency authorizations. Ecology is attempting to meet the essential irrigation needs of farmers growing perennial crops (such as orchard crops, grapes, hops, etc.) where the loss of irrigation water would permanently damage the crops. Through the use of emergency supplemental wells, Ecology is authorizing up to 80% of the usual irrigation water supply delivered by the irrigation districts. In a normal year, Roza Irrigation District is prepared to deliver 3 to 3.3 acre-feet of water per acre. 80% of 3.3 acre-feet is 2.6 acre-feet. Roza Irrigation District is expected to deliver approximately 0.8 acre-feet of water. For crops other than orchard a water duty based on 80% of the consumptive use stated in the Washington Irrigation Guide (WIG) or 80% of the quantity normally applied to the crop is used.

- The applicant states that 3.5 feet of water is normally applied to new grapes with cover (overhead sprinklers). Roza Irrigation District normally delivers up to 3.3 acre-feet of water per acre. Ecology will not authorize more than 80% of the quantity normally supplied by the irrigation district. This authorization will allow an additional 1.8 acre-feet of water per acre for new wine grapes with cover (2.6 acre-ft less 0.8 acre-feet to be supplied by Roza Irrigation District).
- The applicant states that approximately 2.0 acre-feet per year is normally applied to wine grapes with cover using drip irrigation. 80% of 2.0 acre-feet is 1.6 acre-feet. This authorization will allow an additional 0.8 acre-feet per acre for established wine grapes.
- The applicant has 17 acres of new wine grapes and 68.2 acres of established wine grapes. A total of 85.2 acre-feet of water is authorized under this emergency authorization [(17 acres x 1.8 acre-feet) + (68.2 x 0.8 acre-feet)].

FILE COPY



This authorization is subject to the following limitations and provisions:

This authorization is for an existing well (authorized under CG4-31301C) located approximately 900 feet N and 300 feet E of the SW corner of Section 33, within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, T. 10 N., R. 24 E.W.M.

The instantaneous quantity of water to be withdrawn under this permit is limited to 700 gallons per minute based upon the instantaneous quantity requested by the applicant. The maximum instantaneous quantity of water to be withdrawn from this well under both permits combined (CG4-31301C and G4-35026) is 1400 gallons per minute.

A total of 85.2 acre-feet of water is authorized under this emergency authorization for the supplemental irrigation of 85.2 acres.

The place of use is described as follows:

The N $\frac{1}{2}$ NW $\frac{1}{4}$ and all that portion of the S $\frac{1}{2}$ NW $\frac{1}{4}$ lying northerly of Roza Irrigation District lateral, all in Section 4, T. 9 N., R. 24 E.W.M.

A suitable flow meter approved by the Department of Ecology shall be installed and maintained in accordance with Chapter 173-173 WAC. (Installation, operation and maintenance requirements attached hereto.)

Whenever water is being diverted, bi-weekly (every two weeks) readings of the flow meter shall be recorded and maintained by the permittee. These readings shall be documented by time, date, withdrawal rate, and the person conducting the measurements. Copies of these records shall be submitted to the Department of Ecology by November 15, 2005.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.

Withdrawal of water under this authorization may be limited or otherwise regulated in favor of senior rights.

This drought emergency authorization expires on October 31, 2005.

You have the right to appeal this decision to the Pollution Control Hearings Board. Pursuant to Chapter 43.21B RCW, your appeal must be filed with the Pollution Control Hearings Board, and served on the Department of Ecology, within thirty (30) days of the date of your receipt of this document.

To appeal this decision, your notice of appeal must contain a copy of the Ecology decision you are appealing.

Your appeal must be filed with:

The Pollution Control Hearings Board
4224 - 6th Avenue SE Rowe Six Bldg 2
PO Box 40903
Lacey WA 98504-0903

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Your appeal must also be served on:

The Department of Ecology

Appeals Coordinator

PO Box 47608

Olympia WA 98504-7608

In addition, please send a copy of your appeal to:

Robert F. Barwin

Department of Ecology

15 W Yakima Ave Ste 200

Yakima WA 98902-3452

Sincerely,



Robert F. Barwin, Section Manager

Water Resources Program

Central Region Office, Dept. of Ecology

RFB:MD:gg

050747

Enclosures: Flow Meter Requirements
Your Right To Be Heard

cc: Philip Rigdon, Deputy Director, Natural Resources Division, Yakama Nation
Curt Hart, Water Resources Program, HQ